(42)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition (C) No.5047 of 2006 .

PETITIONERS

1. Suryakant Sahu S/o Rajaram, aged about 36 years,
2. Smt. Nirmala W/o Suryakant Sahy, aged about 32 years

Both are resident of Village and Post Mulmula, Tahsil Pamgarh, District Jajjgir Champa C.G.

Versus

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary Revenue Department, DKS Bhawan Raipur C.G.
2. The Tahsildar, Tahsil Pamgarh, District Jajjgir Champa C.G.
3. Vishwanath Noniya S/o Santram Noniya Occupation Patwari Circle No.5 village Mulmula, Tahsil Pamgarh, District Jajjgir Champa C.G.

Present: Shri R.M. Pandey, learned counsel for the petitioners.
Shri Yashwant Singh, learned G.A. for respondents 1 & 2.

ORAL ORDER
(Passed on 14th September, 2006)

Against the impugned order, a statutory appeal lies under Section 44 of the Chhattisgarh Land Revenue Code, 1959 (for short 'the Code').

(2) Having heard learned counsel for the petitioner, I do not find any extra ordinary circumstance or justification for the petitioner to rush to this Court under Article 226 of the Constitution without exhausting the alternative appeal remedy under Section 44 of the Code and revisional remedy under Section 50 of the Code. On the short ground, the writ petition is dismissed. No costs.

Sd/-
Chief Justice

Bini*